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Holtzbrinck Networks GmbH, and
Holtzbrinck Ventures GmbH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC.,

Plaintiff,

v.

STUDIVZ LTD., HOLTZBRINCK
NETWORKS GmbH,
HOLTZBRINCK VENTURES
GmbH, and DOES 1-25,

Defendants.

Case No. 5:08-CV-03468 JF

Assigned To: Hon. Jeremy Fogel

**[PROPOSED] ORDER GRANTING
MOTION OF DEFENDANTS FOR
PROTECTIVE ORDER (1) STAYING
DISCOVERY NOT RELATED TO
DISPUTED MATERIAL ISSUES
RAISED IN DEFENDANTS' MOTIONS
TO DISMISS FOR LACK OF
PERSONAL JURISDICTION AND
FORUM NON CONVENIENS AND (2)
PREVENTING DISCOVERY
PRODUCED IN THIS ACTION FROM
BEING USED IN FOREIGN COURTS**

Date: December 9, 2008
Time: 10:00 a.m.
Dept./Place: Courtroom 2, 5th Floor
Hon. Howard R. Lloyd

Complaint Filed: July 18, 2008

1 The Motion of defendants StudiVZ Ltd., Holtzbrinck Networks GmbH, and
2 Holtzbrinck Ventures GmbH (“Defendants”) for an order (1) staying all discovery
3 that does not relate to disputed material issues raised in Defendants’ pending
4 motions to dismiss for lack of personal jurisdiction and *forum non conveniens* (the
5 “Motions to Dismiss”), until the Motions to Dismiss are ruled upon by this Court,
6 and (2) that any and all discovery produced in this case shall only be used in this
7 case and in no other (the “Motion for Protective Order”) was heard at 10:00 a.m. on
8 December 9, 2008 in Courtroom 2 of the above-entitled Court, the Honorable
9 Howard R. Lloyd, United States Magistrate Judge, presiding.

10 Having considered the files in this case, and the papers and arguments of the
11 parties and their counsel, it is ORDERED that the Motion for Protective Order is
12 GRANTED in its entirety. It would be unduly burdensome, oppressive, and
13 expensive to require Defendants to respond to, and the Court to be involved in as
14 needed, discovery that is not related to disputed material issues in the Motions to
15 Dismiss, including but not limited to merits discovery, while the Motions to Dismiss
16 are pending, and that it is not proper to use this lawsuit or this Court as vehicles to
17 obtain discovery for use in a foreign case.

18 Accordingly, all discovery that does not relate to disputed material issues raised
19 in the Motions to Dismiss is hereby stayed until this Court rules on the Motions to
20 Dismiss, and any and all discovery produced in this case, including but not limited to
21 documents, interrogatory responses, responses to requests for admission, and
22 deposition transcripts, may be used in this case but not in foreign courts.

23
24 IT IS SO ORDERED.

25
26 DATED: _____, 2008

The Honorable Howard R. Lloyd
United States Magistrate Judge